



THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

CHARTER

PRESIDENT'S COUNCIL ON FITNESS, SPORTS, AND NUTRITION

AUTHORITY

Executive Order 13265, dated June 6, 2002, as amended by Executive Order 13545, dated June 22, 2010. The President's Council on Fitness, Sports, and Nutrition (the Council) is currently operating under the authority given in Executive Order 13708, dated September 30, 2015. The Council is governed by provisions of the Federal Advisory Committee Act (FACA), Public Law 92-463, as amended (5 U.S.C. App.), which sets forth standards for the formation and use of advisory committees.

OBJECTIVES AND SCOPE OF ACTIVITIES

In carrying out the responsibilities for public health and human services, and to recognize that good nutrition goes hand in hand with fitness and sports participation, the Secretary of Health and Human Services (Secretary) shall develop and coordinate a national program to enhance physical activity, fitness, sports participation, and good nutrition. Through this program, the Secretary shall, in consultation with the Secretaries of Agriculture and Education, seek to: (a) expand national interest in and awareness of the benefits of regular physical activity, fitness, sports participation, and good nutrition; (b) stimulate and enhance coordination of programs within and among the private and public sectors that promote physical activity, fitness, sports participation, and good nutrition; (c) expand availability of quality information and guidance regarding physical activity, fitness, sports participation, and good nutrition; and (d) target all Americans, with particular emphasis on children and adolescents, as well as populations or communities in which specific risks or disparities in participation in, access to, or knowledge about the benefits of physical activity, fitness, sports participation, and good nutrition have been identified.

In implementing the stipulations under Executive Order 13545, the Secretary shall be guided by the science-based Federal Dietary Guidelines for Americans and the Physical Activity Guidelines for Americans. Additionally, the Secretary shall undertake nutrition-related activities under Executive Order 13545 in coordination with the Secretary of Agriculture.

DESCRIPTION OF DUTIES

The Council shall perform the following duties:

- (1) Advise the President, through the Secretary, concerning progress made in carrying out the provisions of Executive Order 13545 and shall recommend to the President, through the Secretary, actions to accelerate progress;
- (2) Advise the Secretary on ways to promote regular physical activity, fitness, sports participation, and good nutrition. Recommendations may address, but are not necessarily limited to, public awareness campaigns; Federal, State, and local physical activity; fitness, sports participation, and nutrition initiatives; and partnership opportunities between public- and private-sector health promotion entities;

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- (3) Function as a liaison to relevant State, local, and private entities in order to advise the Secretary regarding opportunities to extend and improve physical activity, fitness, sports, and nutrition programs and services at the local, State, and national levels; and
- (4) Monitor the need to enhance programs and educational and promotional materials sponsored, overseen, or disseminated by the Council, and shall advise the Secretary, as necessary, concerning such need.

In performing its functions, the Council shall take into account the Federal Dietary Guidelines for Americans and the Physical Activity Guidelines for Americans.

AGENCY OR OFFICIAL TO WHOM THE COUNCIL REPORTS

The Council shall advise the President, through the Secretary, concerning progress in carrying out the provisions of Executive Order 13545.

Presidential Advisory Committee Follow-up Report: The United States Department of Health and Human Services (HHS) is responsible for ensuring the reporting requirements of Section 6(b) of the (FACA) are fulfilled.

SUPPORT

To the extent permitted by law, the Secretary shall furnish the Council with necessary staff, supplies, facilities, and other administrative services. The expenses of the Council shall be paid from funds available to the Secretary. Management and support services provided to the Council will be the responsibility of the Office of the Assistant Secretary for Health. The Office of Assistant Secretary for Health is a staff division within the Office of the Secretary.

Each executive department and agency shall, to the extent permitted by law and subject to the availability of funds, furnish such information and assistance to the Secretary and the Council as they may request.

ESTIMATED ANNUAL OPERATING COST AND STAFF YEARS

The estimated annual cost for operating the Council, including travel and per diem expenses for members, but excluding staff support is \$1,160,000. There is an allocation of eight (8) FTEs projected to provide staff support for Council activities; the annual cost for the projected human resources is \$940,000.

DESIGNATED FEDERAL OFFICER (DFO)

The Executive Director of the Council is the designated Federal officer. The Secretary shall appoint a full-time or permanent part-time Federal employee as the Executive Director of the Council, who shall serve as a liaison to the Secretary and the White House on matters and activities pertaining to the Council. The Executive Director of the Council also shall provide management and oversight for staff assigned to provide support for Council activities. In the event the DFO cannot fulfill the assigned responsibilities for the Council, the Secretary or designee will temporarily appoint one or more permanent full-time or part-time program staff to carry out the assigned duties.

The DFO will schedule and approve all meetings of the Council and any respective subcommittees to be held. The DFO will prepare all meeting agendas; development and approval of the meeting agenda can be done in collaboration with the Council leadership. The DFO or designee will attend all meetings of the Council and any respective subcommittees. The DFO also has authority to adjourn meetings, when it is determined to be in the public interest, and can be directed by the Secretary or designee to chair Council meetings.

ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

The Council shall meet, at a minimum, one time per fiscal year; additional meetings may be held depending upon the availability of funds to support the meeting. Meetings will be open to the public, except as determined otherwise by the Secretary or designee, in keeping with the guidelines under Government in the Sunshine Act, 5 U.S.C. 552b(c). Notice of all meetings will be given to the public. Meetings will be conducted and records of the proceedings will be kept, as required by applicable laws and Departmental policies. A quorum of the membership is required for the Council to meet to conduct business.

When it is determined by the Secretary or designee that a meeting will be closed or partially closed to the public, in accordance with stipulations of Government in the Sunshine Act, 5 U.S.C. 552b(c), then a report will be prepared that includes, at a minimum, a list of the members and their business addresses, the Council's functions, date and place of the meeting, and a summary of the Council's activities and recommendations made during the fiscal year. A copy of the report will be provided to the Department Committee Management Officer.

DURATION

Continuing.

TERMINATION

Unless extended by the President, the Council will terminate on September 30, 2017.

MEMBERSHIP AND DESIGNATION

The Council shall be composed of up to 25 members. Members shall be appointed by, and serve at the pleasure of, the President. The President may designate one or more members to serve as Chair, Vice Chair, and/or Co-Chairs. Members shall serve for a term of two years and shall be eligible for reappointment; members may continue to serve after the expiration of their terms until the appointment of a successor. Members of the Council shall be classified as special Government employees (SGEs) and are subject to government ethics rules.

The members of the Council shall serve without compensation for their work on the Council. Members of the Council may, however, receive reimbursement for travel expenses, including per diem in lieu of subsistence, as authorized by law under 5 U.S.C. 5701-5707 for persons who are employed intermittently to perform services for the Federal Government, consistent with the availability of funds.

SUBCOMMITTEES

The Council, with approval of the Secretary, may establish subcommittees, as appropriate to provide assistance in carrying out its work. The subcommittee shall be composed of Council members and/or non-member special consultants. The subcommittees shall make reports to the Council for consideration, as appropriate. Subcommittees may not report directly to the President or another Federal official unless there is specific statutory authority for such reporting.

The Department Committee Management Officer will be notified upon establishment of each subcommittee, and will be provided information regarding the name of the subcommittee, function, membership, and estimated frequency of meetings.

RECORDKEEPING

Records of the Council and any established subcommittee will be handled in accordance with General Records Schedule 6.2, Federal Advisory Committee Records or other approved agency records disposition schedule. Applicable records will be made available to the public for inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

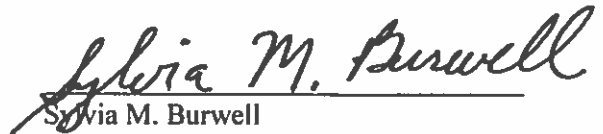
Filing Date:

September 10, 2016

Approved:

SEP 08 2016

Date


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